

Existing law creates the Upper Hurstville Security District in Orleans Parish for the purpose of promoting and encouraging security within the district. New law provides that the purpose includes promoting and encouraging the overall betterment of the district.

Existing law provides for filling vacancies on the board in the same manner as the original appointment. New law provides that board members shall be eligible for reappointment.

Existing law provides that members shall serve without compensation. New law provides that board members shall be eligible to be reimbursed for out-of-pocket expenses directly related to the governance of the district.

Existing law provides that the board shall elect from its members a chairman, a vice chairman, and such other officers as it may deem necessary. Prior law required election of a secretary-treasurer. New law requires two distinct offices: secretary and treasurer.

Prior law provided that the minute books and archives of the district were to be maintained by the secretary of the board. New law authorizes the secretary or the treasurer of the board to maintain the minute books and archives.

Prior law required the board to prepare, or cause to be prepared, a plan(s) specifying the public improvements, facilities, and services proposed to be furnished, constructed, or acquired for the district. Required that the plan(s) include an estimate of the annual and aggregate costs of such items as well as an estimate of the aggregate number of mills or rate of fees required to be levied to pay such costs. New law removes this plan requirement and establishes enumerated powers and duties of the board, including:

- (1) To receive and expend funds collected from the parcel fee levied pursuant to new law and in accordance with a budget adopted as provided in new law.
- (2) To provide or enhance security patrols in the district, to provide for improved lighting, signage, or matters relating to the security of the district, and to provide for the beautification and overall betterment of the district.
- (3) To acquire, lease, insure, and sell real property within the boundaries of the district.
- (4) To procure and maintain liability insurance against any personal or legal liability of a board member acting in the course and scope of his office.
- (5) To perform or have performed any other function or activity necessary or appropriate to carry out the purposes of the district or for the overall betterment of the district.

Prior law authorized the New Orleans governing authority, subject to approval of district voters, to levy and collect special taxes or fees, as authorized by the district. Provided for the imposition, amount, duration, renewal, and collection of the tax. New law removes the district's authority to levy and collect special taxes or fees.

New law authorizes the governing authority of the city of New Orleans to levy and collect a parcel fee in accordance with a duly adopted resolution of the district's board. The resolution shall set forth the amount of the fee, not to exceed \$650. New law further provides that the fee shall be on each parcel within the district and shall be imposed only after the question of its imposition has been approved by a majority of the registered voters of the district.

New law authorizes the board to change the amount of the fee by duly adopted resolution without an election. The fee shall expire eight years after initial levy but may be renewed if approved by a majority of the registered voters of the district.

New law authorizes the fee to be collected at the same time and in the same manner as ad valorem taxes. New law further authorizes unpaid fees to be added to the ad valorem tax rolls of the city and enforced with the same authority, penalties, and procedures as unpaid ad valorem taxes.

New law authorizes the district to solicit and accept voluntary contributions and grants.

Prior law authorized the board to contract for security patrols with the New Orleans Police Dept. or with a private security company that had been certified by the superintendent of the New Orleans Police Dept. New law removes the requirement that such security patrols be provided by the New Orleans Police Dept. or by a security company certified by the superintendent.

New law authorizes the merger and dissolution of the district. New law authorizes a majority of the district to merge with the majority of another district of similar purpose without the vote of the district residents if such merger is approved by resolution of each merging district board. New law further provides that such merger may create a new district or that one district may subsume the merging portion of the other district. If the merger creates a new district, the resolution of each board shall provide for the dissolution of the respective districts. If the merger merges one part of a district into another district, the resolution of the merging part shall provide for the dissolution of the old district. New law provides that such resolutions shall provide for the effective date of the merger, for the dissolution of the district or districts, and for the imposition of a uniform fee throughout the new district.

New law provides that in the event of a merger, collected funds attributable to the merged part of the old district(s) shall be transferred to any new district. The remaining funds attributable to the portions that did not merge shall only be used for law enforcement, security, improvement, and beautification purposes in the portions of the old district that did not merge.

New law provides that the legal authority of any district created by merger shall terminate 60 days after the next regularly scheduled mayoral primary election after such merger is effective unless such merger is approved by a majority of the voters of the merged district voting on the proposition at a regularly scheduled election prior to such termination date.

New law authorizes the district to indemnify its officers and board members to the fullest extent possible. Further provides that no board member shall be liable for breach of his duties as a board member or officer unless he acted in bad faith, intentionally violated the law, perpetrated intentional misconduct, or derived an improper personal benefit from a transaction.

Effective August 15, 2009.

(Amends R.S. 33:9091.6)